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PATENT
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Attorney Reference Number 5437-60780-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Scarborough et al.

Application No. 09/921,993

Filed: August 2, 2001

Confirmation No. 6882

For: DEVELOPMENT OF ELECTRONIC
EMPLOYEE SELECTION SYSTEMS AND
METHODS

Examiner: George B. Davis

Art Unit: 2121

Attorney Reference No. 5437-60780-01

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Attorney
for Applicant(s) G.L. Maurer

Date Mailed January 7, 2005

TRANSMITTAL LETTER

Enclosed for filing in the application referenced above are the following:

- ☒ Information Disclosure Statement
 - ☒ Form 1449 and references cited thereon
 - ☒ IDS Fee of \$180.00
- ☒ The Director is hereby authorized to charge any additional fees that may be required, or credit over-payment, to Deposit Account No. 02-4550. A copy of this sheet is enclosed.
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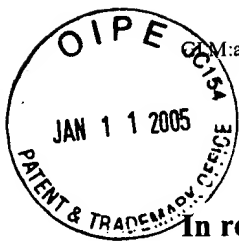
Respectfully submitted,

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By G.L. Maurer
Gregory L. Maurer
Registration No. 43,781

cc: Docketing



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INFORMATION DISCLOSURE STATEMENT PURSUANT TO
37 C.F.R. § 1.97(c)

Listed on the accompanying form PTO-1449 and enclosed herewith are several English-language documents. Applicants respectfully request that these documents be listed as references cited on the issued patent. This Information Disclosure Statement ("IDS") is being mailed before Applicants received a final action, a notice of allowance, or an action that otherwise closes prosecution in the referenced application.

Copies of United States patents and United States published patent applications do not have to be provided to the Patent Office (37 C.F.R. 1.98(a)(2)(ii)). Copies of unpublished U.S. applications do not have to be provided, as long as the application is available on PAIR, as this requirement of 37 C.F.R. § 1.98(a)(2)(iii) has been waived by the United States Patent and Trademark Office pursuant to the Official Gazette Notice on October 19, 2004 (1287 OG 163). Applicants will provide copies of such patents or applications upon request.

Submitted herewith is a check for \$180.00 as required by 37 C.F.R. § 1.17(p) for filing this IDS in compliance with 1.97(c).

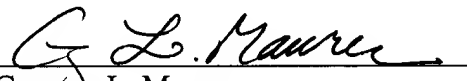
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The filing of this IDS shall not be construed to be an admission that the information cited in the statement is, or is considered to be, prior art or otherwise material to patentability as defined in 37 C.F.R. §1.56.

Respectfully submitted,

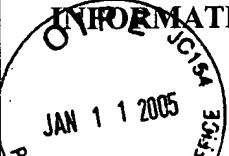
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	Examiner Name	George B. Davis

U.S. PATENT DOCUMENTS

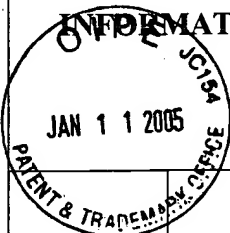
Copies of U.S. Patent documents do not need to be provided, unless requested by the Patent and Trademark Office. For patents, provide the patent number and the issue date. For published U.S. applications, provide the publication number and the publication date. For unpublished pending patent applications, provide the application number and the filing date.

Examiner's Initials*	Cite No. (optional)	Number	Publication Date	Name of Applicant or Patentee
		5,490,097	02/1996	Swenson et al.
		5,551,880	09/1996	Bonnstetter et al.
		6,115,646	09/2000	Fizsman et al.
		6,126,448	10/2000	Ho et al.
		6,735,570	05/2004	Lacy et al.

OTHER DOCUMENTS

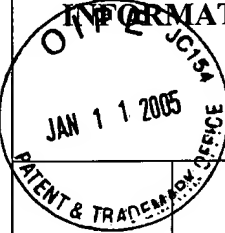
Examiner's Initials*	Cite No. (optional)	
		"TekMetrics to Test Skills of Computer Sciences Corp. Job Candidates Over the Internet," <i>EDP Weekly's IT Monitor</i> , Vol. 40, Issue 16, page 6, April 19, 1999.
		Liang et al., "Theory and Methodology: Personnel Selection Using Fuzzy MCDM Algorithm," <i>European Journal of Operational Research</i> , Vol. 78, pages 22-33, 1994.
		"Brainbench - The Skills Authority: Account Registration," www.brainbench.com website archived May 11, 2000, 2 pages.
		"Brainbench - The Skills Authority: Looking for Qualified candidates?," www.brainbench.com website archived May 10, 2000, 1 page.
		"Brainbench - The Skills Authority: Welcome to Brainbench," www.brainbench.com website archived May 11, 2000, 2 pages.
		"Brainbench - The Skills Authority: About Our Assessments," www.brainbench.com website archived May 10, 2000, 2 pages.
		"Brainbench - The Skills Authority: Brainbench Certifications™," www.brainbench.com website archived May 24, 2000, 2 pages.

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		"Are you ready to: Are you Ready?," www.brainbench.com website archived March 2, 2000, 1 page.	
		"Top Ten Scores List," www.brainbench.com website archived July 1, 2002, listing scores from February 2000, 1 page.	
		"Brainbench - The Skills Authority: Frequently Asked Questions about Brainbench Certifications™," www.brainbench.com website archived May 10, 2000, 5 pages.	
		"Legal Considerations When Using Testing: White Paper," www.tekmetrics.com website archived April 17, 1999, 3 pages.	
		"TekMetrics skills assessments & skills test & resume tracking: Frequently Asked Questions," www.tekmetrics.com website archived April 24, 1999, 3 pages.	
		"Top 10 Test Scores Lists," www.tekmetrics.com website archived December 5, 1998, 1 page.	
		"123Assess Demonstration," www.tekmetrics.com website archived January 28, 1999, 2 pages.	
		"Catalog," www.tekmetrics.com website archived December 6, 1998, 3 pages.	
		"Brainbench - The Skills Authority: Pricing," www.brainbench.com website archived May 10, 2000, 2 pages.	
		"Brainbench - The Skills Authority: Top Ten Scores List," www.brainbench.com website archived May 11, 2000, 1 page.	
		"Brainbench - The Skills Authority: See Where You Stand," www.brainbench.com website archived April 19, 2000, 1 page.	
		"Brainbench - The Skills Authority: Dear Affiliate," www.brainbench.com website archived May 11, 2000, 3 pages.	
		"Brainbench - The Skills Authority: Sample Certificate," www.brainbench.com website archived May 11, 2000, 2 pages.	
		"Brainbench - The Skills Authority: Online Skills Assessment Leader Brainbench Forms Partnership With Leading Quality-Rating Services Provider," www.brainbench.com website archived June 6, 2000, 2 pages.	
		"Brainbench - The Skills Authority: The Company," www.brainbench.com website archived May 11, 2000, 1 page.	
		"Brainbench - The Skills Authority: Hear What Our Customers Are Saying...," www.brainbench.com website archived May 10, 2000, 6 pages.	
		"Brainbench - The Measure of Achievement: Mike Russiello," www.brainbench.com website archived May 1, 2003, 2 pages.	

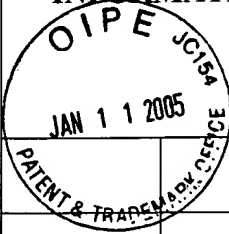
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 <p align="center">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p>		Attorney Docket Number	5437-60780-01
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		"Brainbench - The Measure of Achievement: Completed Assessment," www.brainbench.com website archived May 1, 2003, page.	
		"Brainbench - The Skills Authority: Privacy Policy," www.brainbench.com website archived May 10, 2000, 2 pages.	
		"Brainbench - The Skills Authority: Test Developer," www.brainbench.com website archived May 10, 2000, 2 pages.	
		"Brainbench - The Skills Authority: Test Alert," www.brainbench.com website archived June 21, 2000, 2 pages.	
		"Brainbench - The Skills Authority: Online Cert Prep™," www.brainbench.com website archived June 22, 2000, 2 pages.	
		"Brainbench - The Skills Authority: Take the Microsoft Challenge," www.brainbench.com website archived March 3, 2000, 2 pages.	
		"Brainbench - The Skills Authority: Assessment Center Demonstration," www.brainbench.com website archived May 12, 2000, 2 pages.	
		"Brainbench - The Skills Authority: Online Public Transcript for Chastity Sterling," www.brainbench.com website archived May 11, 2000, 3 pages.	
		"Brainbench - The Skills Authority: Global E-Market Company for Skilled Services Team with World's Largest Online Certification Authority," www.brainbench.com website press release dated February 1, 2000, 2 pages.	
		"Brainbench - The Skills Authority: Brainbench VP to Discuss Rapid Growth of Online Certification Industry," www.brainbench.com website press release dated May 2, 2000, 2 pages.	
		"Brainbench - The Skills Authority: Microsoft Chooses Brainbench Tests to Prep the Market for Windows 2000," www.brainbench.com website press release dated February 17, 2000, 2 pages.	
		"Brainbench - The Skills Authority: Brainbench to Develop/ Measure Talent for BTG To Staff Major Department of Education Project," www.brainbench.com website press release dated February 11, 2000, 2 pages.	
		"Brainbench - The Skills Authority: FedSources, Inc. Teams Up with Brainbench for Online Skills Certification Service," www.brainbench.com website press release dated October 22, 1999, 2 pages.	
		"Brainbench - The Skills Authority: EDS Targets Training with Brainbench Test!," www.brainbench.com website press release dated March 11, 1999, 2 pages.	
		"Brainbench - The Skills Authority: Certifications Add Efficiency to the Employment Market," www.brainbench.com website white paper dated June 7, 2000, 4 pages.	

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		"Brainbench - The Measure of Achievement: A Skills-Based Employment Market," www.brainbench.com website white paper dated January 24, 2000, 9 pages.	
		"Brainbench - The Measure of Achievement: The Rise of Online Certifications," www.brainbench.com website white paper dated January 26, 2000, 8 pages.	
		"Brainbench - The Skills Authority: Data Warehousing Specialist Certification," www.brainbench.com website archived May 10, 2000, 2 pages.	
		"Brainbench - The Measure of Achievement: Javascript Certification," www.brainbench.com website archived April 4, 2001, 3 pages.	
		"The Odd Friday Report: 1to1® Career Opportunities," Peppers and Rogers Group, www.1to1search.com , February 11, 2000, 3 pages.	

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